

REMARKS

Entry of the foregoing and reconsideration of the subject application are respectfully requested in light of the amendments above and the comments which follow.

As correctly noted in the Office Action Summary, claims 5, 39, 63 and 64 were pending. By the present response, claims 5 and 39 have been amended, and claims 65-66 added. Thus, upon entry of the present response, claims 5, 39 and 63-66 remain pending and await further consideration on the merits.

Support for the foregoing amendments can be found, for example, in at least the following locations in the original disclosure: page 30, last paragraph - page 31, second paragraph; Figures 23-28; and the original claims.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

Claims 5, 39, 63 and 64 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,678,813 to Osako et al. (hereafter "Osako et al.") on the grounds set forth in paragraph 3 of the Official Action. For at least the reasons noted below, this rejection should be withdrawn.

The present invention is directed to methods and apparatus for stacking sheets of print media having folds therein. The apparatus and methods of the present invention provide certain advantages over the prior art. For example, as discussed on page 6 of the present specification, apparatus and methods formed according to the principles of the present invention provide a low cost, low power method and compact apparatus for finishing printed sheets into booklets. The present invention provides for the manufacture of a low cost, off-line booklet which

can be used, for example, with desk top laser and ink-jet printers. The technology is also scalable into in-line booklet manufacture with high speed printers and off-set presses. According to certain aspects of the present invention, certain finishing operations are performed on a sheet-by-sheet basis utilizing precision paper positioning.

Apparatus constructed according to the principles of the present invention is set forth in amended claim 5. Amended claim 5 recites:

5. *Apparatus for stacking sheets of printing media, said sheets having folds therein, comprising:*
 - a) *a workpiece that stacks the sheets, sheet-by-sheet, and registers the sheets on the folds, the workpiece including a plurality of anvils for crimping staples;*
 - b) *means movable along a paper path direction for positioning the sheets, sheet-by-sheet, with respect to the workpiece and connected thereto, thereby stacking the sheets; and*
 - c) *a stapler assembly translatable transversely across the paper path direction to staple the stacked sheets at a plurality of positions corresponding to the plurality of anvils.*

A method performed according to the principles of the present invention is set forth in amended claim 39. Amended claim 39 recites:

39. *(Currently Amended) Method for stacking sheets of printing media, comprising the steps of:*
 - a) *collecting the sheets in a stack on a workpiece, sheet-by-sheet, said sheets each having a fold therein along a fold axis;*
 - b) *registering the sheets on the workpiece by collecting the sheets with means moveable along a paper path direction, sheet-by-sheet, with the fold in each sheet and translating a stapler assembly transversely across the a paper path direction to staple the sheets in the stack together, thereby forming saddle stitched booklets; and*
 - c) *unloading the stack of collected and registered sheets from the workpiece in an unloading direction, the unloading direction perpendicular to the fold axis.*

Osaka *et al.* fails to disclose, or even suggest, an apparatus or method according to the presently claimed invention. As evident from the above, the

apparatus of claim 5 requires "means movable along a paper path direction for positioning the sheets, sheet-by-sheet, with respect to the workpiece." Similarly, the method of claim 39 requires "registering the sheets on the workpiece by collecting the sheets with means movable along a paper path direction." By contrast, *Osaka et al.* discloses apparatus and methods in which the sheets (2a) are sequentially fed by a plurality of stationary feeders (4) onto a movable conveyor mechanism (1). The recited means movable along a paper path direction of the presently claimed invention provides for a much more compact construction than that disclosed by *Osaka et al.* Since *Osaka et al.* fails to disclose at least this aspect of the presently claimed invention, the rejection should be withdrawn. In addition, claim 5 requires "a stapler assembly translatable transversely across the paper path direction." Similarly, claim 39 requires "translating a stapler assembly transversely across the paper path direction." By contrast, *Osaka et al.* discloses "stitching members" (e.g., 6a, 114a) which are only movable in the same direction as the paper path taught by *Osaka et al.* (i.e., in the direction that the conveyor (1) transports the stacked sheets). Thus, *Osaka et al.* fails to disclose at least this aspect of claims 5 and 39. Thus, *Osaka et al.* fails to anticipate the presently claimed invention. The rejection should be withdrawn.

CONCLUSION

From the foregoing, further and favorable action in the form of a Notice of Allowance is earnestly solicited. Should the Examiner feel that any issues remain, it is requested that the undersigned be contacted so that any such issues may be adequately addressed and prosecution of the instant application expedited.

Respectfully submitted,

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